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APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/712,214	11/13/2003	Susan E. Bach	970520A	8470	
	7590 03/27/200 HONG FLAHERTY &		EXAM	INER	
250 PARK AV SUITE 825		,	PHU, PHUONG M		
NEW YORK, N	NY 10177-0899		ART UNIT	PAPER NUMBER	
		·	2611		
SHORTENED STATUTOR	Y PERIOD OF RESPONSE	MAIL DATE	DELIVER	Y MODE	
3 MO	NTHS	03/27/2007	PAI	PER	

Please-find-below-and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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	Application No.	Applicant(s)
	10/712,214	BACH, SUSAN E.
Office Action Summary	Examiner	Art Unit
	Phuong Phu	2611
The MAILING DATE of this communication ap	ppears on the cover sheet w	ith the correspondence address
Period for Reply	VIO OET TO EVENE AL	MONITHY ON THE THE TY (20) DAVO
A SHORTENED STATUTORY PERIOD FOR REPL WHICHEVER IS LONGER, FROM THE MAILING I - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period. Failure to reply within the set or extended period for reply will, by statu Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNI .136(a). In no event, however, may a d will apply and will expire SIX (6) MOI te, cause the application to become A	CATION. reply be timely filed NTHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).
Status		
1) Responsive to communication(s) filed on <u>07</u> .	January 2004.	
	is action is non-final.	
3) Since this application is in condition for allows	ance except for formal mat	ters, prosecution as to the merits is
closed in accordance with the practice under	Ex parte Quayle, 1935 C.I	D. 11, 453 O.G. 213.
Disposition of Claims		
4)⊠ Claim(s) <u>1-3,12 and 14-16</u> is/are pending in t	he application.	
4a) Of the above claim(s) is/are withdra		•
5) Claim(s) is/are allowed.		
6)⊠ Claim(s) <u>1-3 and 12</u> is/are rejected.		
7)⊠ Claim(s) <u>14-16</u> is/are objected to.		·
8) Claim(s) are subject to restriction and/	or election requirement.	
Application Papers		
9) The specification is objected to by the Examin	er.	
,	cepted or b) objected to	by the Examiner.
Applicant may not request that any objection to the	• • • • • • • • • • • • • • • • • • • •	·
Replacement drawing sheet(s) including the corre	ction is required if the drawing	(s) is objected to. See 37 CFR 1.121(d).
11) The oath or declaration is objected to by the E	Examiner. Note the attache	d Office Action or form PTO-152.
Priority under 35 U.S.C. § 119		
12) Acknowledgment is made of a claim for foreig	n priority under 35 U.S.C.	\$ 119(a)-(d) or (f)
a) All b) Some * c) None of:	in priority under do d.e.o.	3 1 10(4) (4) 31 (1).
1. Certified copies of the priority documer	nts have been received.	
2. Certified copies of the priority documer	nts have been received in A	Application No
3. Copies of the certified copies of the price	ority documents have beer	received in this National Stage
application from the International Burea	au (PCT Rule 17.2(a)) _:	
* See the attached detailed Office action for a lis	t of the certified copies not	received.
		·
Attachment(s)		
1) Notice of References Cited (PTO-892)		Summary (PTO-413) s)/Mail Date
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08)	5) Notice of	Informal Patent Application
Paper No(s)/Mail Date	6) Other:	_

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DETAILED ACTION

Claim Rejections - 35 USC § 112

- 1. The following is a quotation of the first paragraph of 35 U.S.C. 112:
 - The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
- 2. Claims 1-3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 1, lines 5-7 recites the limitation "a tap weight update calculation unit coupled to the equalizer and adapted to determine *constant* and predetermined tap weight updates for use in adjusting the tap weights during operation of the equalizer". This limitation is not disclosed in the disclosure of the instant application. As illustrations shown in figures 2 and 3, the "tap weight update calculation unit" is adapted to determine adaptive "tap weight updates", namely, the "tap weight updates" being non-constant "tap weight updates". The limitation is suggested to be changed to --a tap weight update calculation unit coupled to the equalizer and adapted to determine *adaptive* tap weight updates for use in adjusting the tap weights during operation of the equalizer--.

Claims, depended on claim 1, therefore, also rejected.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 1-3 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, line 5 recites the limitation "a tap weight update calculation unit coupled to the equalizer". It is unclear whether the input of the "tap weight update calculation unit" is coupled to the input or output of the "equalizer" or whether the output of the "tap weight update calculation unit" is coupled to the input or output of the "equalizer". The limitation is suggested to be changed to --a tap weight update calculation unit *having an input coupled to the output of* the equalizer--.

Similarly, claim 3, lines 1-3 recites the limitation "a demodulator *coupled* to the equalizer". The limitation is suggested to be changed to --a demodulator *having an input* coupled to the output of the equalizer--.

Similarly, claim 12, line 5 recites the limitation "a demodulator *coupled* to the equalizer". The limitation is suggested to be changed to --a demodulator *having an input coupled to the output of* the equalizer--.

Claims, depended on claim 1, are therefore also rejected.

Allowable Subject Matter

- 5. Claims 14-16 are allowed.
- 6. Claim 12 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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Conclusion

- 7. References 4575857, 4695969, 5130799, 5648987, 4811360 and 4803438 are cited because they are pertinent to the claimed method and associated apparatus.9
- 8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong Phu whose telephone number is 571-272-3009. The examiner can normally be reached on M-F (8:00 AM 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phuong Phu Primary Examiner Art Unit 2611

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PHUONG PHU PRIMARY EXAMINER

Phuong Phu 03/20/07

Notice of References Cited Application/Control No. 10/712,214 Examiner Phuong Phu Applicant(s)/Patent Under Reexamination BACH, SUSAN E. Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	Α	US-4,575,857	03-1986	Murakami, Junzo	375/230
*	В	US-4,695,969	09-1987	Sollenberger, Nelson R.	. 708/323
*	С	US-5,130,799	07-1992	Iga et al.	348/614
*	D	US-5,648,987	07-1997	Yang et al.	375/232
*	E	US-4,811,360	03-1989	Potter, William J.	375/231
*	F	US-4,803,438	02-1989	Mizoguchi, Shoichi	329/310
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FOREIGN PATENT DOCUMENTS

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NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)

Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.